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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/551,931	10/05/2005	Zhiguo Su	37137-224348	6508
26694 VENABLE LI	26694 7590 05/09/2007 VENABLE LLP		EXAMINER	
P.O. BOX 34385			MONSHIPOURI, MARYAM	
WASHINGTO	N, DC 20043-9998		ART UNIT PAPER NUMBER	
			1656	
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			05/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)			
Office Action Summary		10/551,931	SU ET AL.			
		Examiner	Art Unit			
	·	Maryam Monshipouri	1656			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
WHIC - Exter after - If NO - Failu Any	ORTENED STATUTORY PERIOD FOR REPLY CHEVER IS LONGER, FROM THE MAILING DATE of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. It period for reply is specified above, the maximum statutory period were to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim fill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).			
Status						
	Responsive to communication(s) filed on					
,	This action is FINAL. 2b)⊠ This action is non-final.					
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims						
5) [] 6) [] 7) []	Claim(s) 1-11 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw Claim(s) is/are allowed. Claim(s) is/are rejected. Claim(s) is/are objected to. Claim(s) 1-11 are subject to restriction and/or expressions.	vn from consideration.				
Applicat	ion Papers					
	The specification is objected to by the Examine					
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority (ınder 35 U.S.C. § 119					
a)	Acknowledgment is made of a claim for foreign All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priority application from the International Bureau See the attached detailed Office action for a list	s have been received. s have been received in Applicati rity documents have been receive u (PCT Rule 17.2(a)).	ion No ed in this National Stage			
2) Notic	et(s) ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-948) contraction Disclosure Statement(s) (PTO/SB/08)	4) Interview Summary Paper No(s)/Mail Do 5) Notice of Informal F	ate			
	er No(s)/Mail Date	6)				

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Art Unit: 1656

Species Election

This application contains claims directed to the following patentably distinct species: Claims 1-11 are directed to the following distinct species unrelated structure:

- (a) protein conjugates comprising 1-3 hemoglobins (Hb) and 1-3 human serum albumins (HSA).
- (b) protein conjugates comprising 1-2 hemoglobins and 1-2 human serum albumins.
- (c) protein conjugates comprising 1 hemoglobin and 1 human serum albumin.

 Currently claims 1-11 are generic.

Claim 10 is additionally and independently directed to the following distinct species of methods of different steps:

- 1) Purification of Hb-HSA conjugates comprising ion exchange chromatography.

 Purification of Hb-HSA conjugates comprising ultra filtration.
- 2) Purification of Hb-HSA conjugates comprising gel filtration chromatography.
- 3) Purification of Hb-HSA conjugates comprising ion exchange chromatography and ultra filtration.
- 4) Purification of Hb-HSA conjugates comprising ion exchange chromatography and gel filtration chromatography.
- **5)** Purification of Hb-HSA conjugates comprising ultra filtration and gel filtration chromatography.
- **6)** Purification of Hb-HSA conjugates comprising ion exchange chromatography, ultra filtration and gel filtration chromatography.

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Likewise, claim 9 is additionally and independently generic to the following distinct species of unrelated steps:

- I) Hb/HSA conjugation in one step coupling.
- II) Hb/HSA conjugation in a two step coupling.

Applicant is advised to elect one species from groups a-c, 1-6 and I-II simultaneously, in response to this office action.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

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Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. **Currently, claims1-11 are generic.**

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species.

MPEP § 809.02(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maryam Monshipouri whose telephone number is (571) 272-0932. The examiner can normally be reached on 7:00 a.m to 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathleene Kerr Bragdon can be reached on (571) 272-0931. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Haryam Monshipouri Ph.D.

Primary Examiner